

RESOLUTION NO. 3269  
AUTHORIZING THE ATTORNEY GENERAL OF CALIFORNIA  
TO CONDUCT LEGAL PROCEEDINGS

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WHEREAS, ~~CITY OF LODI, a Municipal Corporation~~ (herein-  
(Type your legal name here))

after called Public End User) has purchased asphaltic petroleum products (hereinafter called products) either directly or indirectly; and

WHEREAS, it appears that the suppliers of these products and other persons have acted in violation of the antitrust laws of the United States and of the State of California, and that Public End User, in the purchase of these products may have paid more than would have been paid if lawful competitive conditions had prevailed; and

WHEREAS, the Attorney General of California, acting in his official capacity to protect and further the legal interests of the State, its political subdivisions and agencies, has offered to act as the legal representative of Public End User in connection with these matters;

NOW, THEREFORE, BE IT RESOLVED THAT THE ATTORNEY GENERAL OF CALIFORNIA IS HEREBY AUTHORIZED BY PUBLIC END USER, acting through its duly constituted governing body, to take any and all legal action and proceedings that he **may** deem appropriate to recover for Public End User such monetary damages and other compensation to which it may be entitled under applicable law, federal or state, by reason of legal injuries received in the course of purchasing said products. In so acting as attorney on behalf of Public End User, the Attorney General may, among other things :

1. Determine in his discretion what product transactions by Public End User, if any, would be brought to suit.



2. Join all or any part of the claims of Public End User in legal proceedings with all or any part of similar claims in any manner he may deem appropriate.

3. Settle, compromise, or dismiss all or any part of any ~~claims~~ of Public End User involved in such proceedings in any manner he may deem appropriate.

4. Distribute in such manner as may be determined or approved by the Court any money or other recoveries received from the defendants in such proceedings, whether by settlement, suit or otherwise, to the State, its political subdivisions and public agencies, including Public End User, which are parties to said proceedings, excepting the amount of attorneys' fees, costs and expenses determined or approved by the Court; and

BE IT FURTHER RESOLVED, Public End User will, on request, advance such sums and amounts for costs and expenses of carrying on the litigation herein, other than attorneys' fees, **as** may be determined to be Public End User's fair share; and

BE IT FURTHER RESOLVED, that such amount of attorneys' fees, costs and expenses incurred by the State in connection with said proceedings as may be determined or approved by the Court, less amounts paid in advance by Public End User, shall be paid into the State Treasury for services rendered and costs and expenses incurred by the Office of the Attorney General; and

BE IT FURTHER RESOLVED, that Public End User will **provide to the Attorney General the necessary data identifying** the transactions on which the Public End User seeks to claim damages in the legal proceedings authorized by this resolution,

and that Public End User shall provide the personnel necessary to accumulate from the records of Public End User the documents and other materials necessary to prepare and submit damage claims in these proceedings.

DATED May 7, 1969

Public End User, above named, by:

Councilman Robert Hunnell

Councilman Fred Brown

Mayor Jerald Kirsten

Councilman James Culbertson

Councilman Ben W. Schaffer

(Signature of members of governing board)

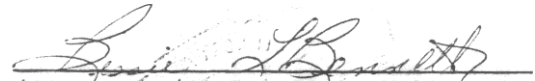
#### CERTIFICATE

The undersigned hereby certifies that she is the duly qualified and acting City Clerk  
(Secretary, County Clerk, or other appropriate officer) of the Public End User named above and that the attached

and foregoing is a full, true and correct copy of a Resolution duly and regularly adopted by the City Council of the CITY OF  
(Board of Directors, Council,

MDI thereof at a Board of Supervisors, or other governing board) meeting duly and regularly called, noticed and held on the 7th day of May, 1969, at which a quorum was present.

DATED: May 7, 1969

  
(Signature of Certifying Officer)  
City Clerk, CITY OF LODI

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(Title)